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UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ICO-004 (4594/11)
First Named Inventor	Christopher N. Elsbee
Title	Graphical Human-Machine Interface on a Portable Device

jc530 U.S. PTO 09/478775

APPLICATION ELEMENTS

 ADDRESS TO: **Box Patent Application**
Assistant Commissioner for Patents
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
2. ☒ Specification and Drawings [Total Pages 59]
☒ - Specification - (42 pages)
☒ - Claims - (3 pages)
☒ - Abstract - (1 page)
☒ - Sheets of Drawings - (13 sheets)
☐ Formal
☒ Informal
3. ☐ Oath or Declaration [Total Pages]
 a. ☐ Newly executed (original)
 b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 4 below]

- ACCOMPANYING APPLICATION PARTS**
7. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
☐ Power of Attorney
8. ☐ English Translation Document *(if applicable)*
9. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
10. ☐ Preliminary Amendment
☐ Drawings [Total Sheets]
☐ Letter to Official Draftsperson Including Drawings [Total Pages]
11. ☒ Return Receipt Postcard

4. ☐ Incorporation by Reference (usable if Box 3b is checked)
 The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

12. ☒ Small Entity Statement(s)
☐ Statements filed in prior application, (Status still proper and desired)
13. ☐ Certified Copy of Priority Document(s)

5. ☐ Microfiche Computer Program *(Appendix)*

14. ☐ Deletion of Inventor(s)
 Signed statement attached deleting inventor(s) named in the prior application.

6. ☐ Nucleotide and/or Amino Acid Sequence Submission
☐ Computer Readable Copy
☐ Paper Copy (identical to computer copy)
☐ Statement verifying identity of above copies

15. ☒ Patent Application Data Entry Form
16. ☐ Other:

17. ☐ If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application Serial No. ____/____.
Priority to the above application(s) is claimed under 35 U.S.C. 120.
 Prior application information: Examiner: ____ Group/Art Unit: ____.

18. ☒ **Priority - 35 U.S.C. 119**
☒ Priority of application Serial No. 60/114,882 filed on January 6, 1999 in US is claimed under 35 U.S.C. 119.
☐ The certified copy has been filed in prior U.S. application Serial No. ____/____ on ____.
☐ The certified copy will follow.

CORRESPONDENCE ADDRESS

SIGNATURE BLOCK

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 Respectfully submitted,

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574JBM4594/11.A919734-1

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))— SMALL BUSINESS CONCERN**

 Attorney Docket No. **ICO-004 (4594/11)**

 Applicant, Patentee, or Identifier: **Elsbree, et al.**

Application or Patent No.:

Filed or Issued:

January 6, 2000

 Title: **GRAPHICAL HUMAN-MACHINE INTERFACE ON A PORTABLE DEVICE**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

 NAME OF SMALL BUSINESS CONCERN: ICONICS, Inc.

 ADDRESS OF SMALL BUSINESS CONCERN: 100 Foxborough Boulevard, Foxborough, MA 02035.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

 NAME OF PERSON SIGNING Russell L. Agrusa

 TITLE OF PERSON IF OTHER THAN OWNER President and CEO

 ADDRESS OF PERSON SIGNING ICONICS, Inc., 100 Foxborough Boulevard, Foxborough, MA 02035

SIGNATURE

DATE

1/5/00